

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8010 of 2022

Manoranjan Jena

....

Petitioner

Mr. A. Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

06.09.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is accused in C.T. Case No.545 of 2022 corresponding to Baisinga P.S. Case No.191 of 2022 dt.01.07.2022, pending in the Court of learned 2nd Additional Sessions Judge, Baripada, Mayurbhanj, for alleged commission of offences under Sections 341/323/325/307/379/506/34 of IPC.
4. Being aggrieved by the Rejection of his application for bail U/s.439 Cr.P.C. by the learned 2nd Additional Sessions Judge, Baripada, Mayurbhanj, by order dated 16.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the entire allegations is accepted at its face value then also the petitioner is guilty of instigating for commission of crime, hence his further continuance in custody is unwarranted.

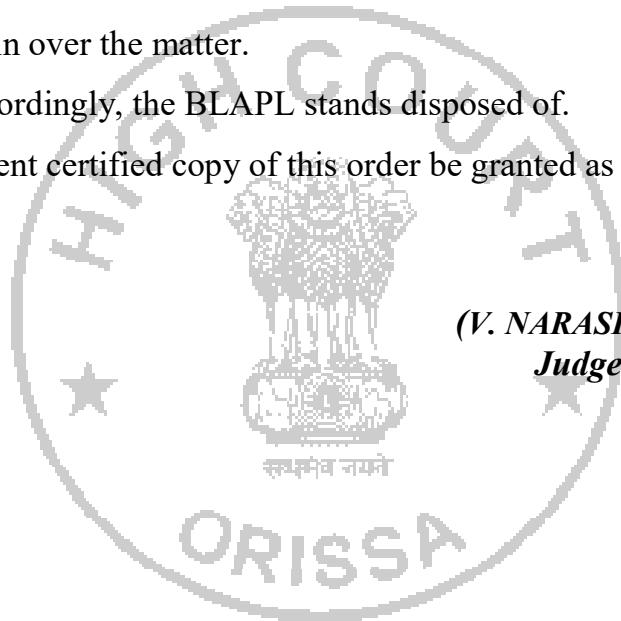
6. Learned counsel for the State opposes the prayer for bail inter alia on the ground that investigation is continuing and release of the petitioner at this stage is uncalled for.

7. Taking into account that the overt act of assault is attributed to one Manas Jena who is the son of the present petitioner and keeping in view the age of the petitioner and the role ascribed to him and being cognizant of the submission of the learned counsel for the State that injured has in the meanwhile been discharged from the hospital and leading a normal life, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. Accordingly, the BLAPL stands disposed of.

9. Urgent certified copy of this order be granted as per rule.

Ayesha



(V. NARASINGH)
Judge